

the tidal waters of such streams or rivers where the same belong to the Crown, or the lands are ungranted.

3. That when any application is made for any lease or licence under either of the preceding Sections, the lease or licence shall be sold at public auction, after thirty days notice in the Royal Gazette, the upset price being determined by the Governor in Council; but the rights of parties in lands and privileges already granted shall not be affected thereby.

4. That the Governor in Council may appoint such and so many persons as he may deem necessary to be Wardens of Fisheries in the various localities, who shall have jurisdiction over such Rivers and tributaries, and in such districts as may be defined and allotted to them by the Governor in Council.

5. That it shall be the duty of the said Wardens respectively, to watch over and protect the fisheries within their respective jurisdictions, and to enforce the provisions of this Act, and the rules and regulations to be made by authority hereof; and they shall be subject to the directions and liable to the penalties imposed by the regulations of the Governor in Council for misconduct or neglect of duty.

6. That the rents and profits arising from leases and licences granted under this Act, shall be paid into the Provincial Treasury, and a separate account kept of the same, called "The Fishery Protection Account."

7. That all fines and penalties imposed by this Act, or by the regulations to be made thereunder, shall be recovered in the name of any Warden of the district, who shall account for the same to the Provincial Treasurer in such manner as the Governor in Council may direct, and shall be carried to the credit of the account mentioned in the last Section.

8. That nothing in this Act contained shall prevent any Warden from being a competent witness for the recovery of any fine or penalty, or in any proceeding for any forfeiture under this Act, or under any regulation made under the authority of the same.

9. That the Wardens shall receive respectively such salary, not in any case exceeding four hundred dollars per annum, as the Governor in Council may deem right; the same to be paid by Warrant on the Provincial Treasury.

10. That the Governor in Council may make rules and regulations for the management and protection of the Fisheries on the Sea Coast, or around any Island of the said Coast, between low water mark and three marine miles of such mark; and may also make rules and regulations for the management and protection of the River Fisheries; imposing no greater penalty than forty dollars, nor any longer imprisonment than twenty days; and all such rules and regulations shall be published in the Royal Gazette.

11. That the rules and regulations so made shall be in addition to the provisions of this Act, and shall, when so made and published, have the like force and effect as if herein contained and enacted.

12. The Governor in Council may impose and levy an annual tax on every net used for the taking of Salmon on the Sea Coast, or in the Bays and Rivers of this Province, not exceeding fifty cents for every net fifty fathoms in length, and one half cent for every fathom above fifty fathoms, and may also enforce and levy such annual tax as may be deemed reasonable, on all and every engine, weir or trap used for taking fish in the Rivers, or on the Sea Coast, or in the Bays of this Province.

13. That the taxes imposed under the provisions of this Act, or the regulations to be made by authority hereof, shall be collected by the Wardens in the respective districts, and shall be paid by them into the Provincial Treasury in such manner as the Governor in Council may direct; and it shall be the duty of the Wardens to make full and correct returns of the amounts so collected and paid over by them respectively, annually, on the thirty first day of October in each year, such returns to be forthwith transmitted to the Auditor General.

14. That the Wardens shall, when necessary, mark out and designate, in proper positions, within their respective districts, proper "gurry grounds," putting up notices thereof on the several school houses and other most public places in the Parish where the said gurru grounds are marked out, and shall publish the like notice in the Royal Gazette; and no person shall throw overboard any ballast or offal of fish in any river, harbour, or roadstead, or within three marine miles of the mainland, or of any Island, or on any fishing bank, except on the gurru grounds; and any person acting in contravention of this Section, shall be liable to a penalty of twenty dollars.

15. Every person who constructs a new dam for mill or other purposes, or alters any dam so as to create increased obstructions to the fish in any waters where Salmon are found, shall attach and maintain attached thereto, in an efficient state, a fish-pass or ladder, of such form and dimensions as may be considered necessary by the Warden of the district, and if he do not do so he shall incur a penalty of forty dollars, and also a penalty of four dollars for each week he shall neglect to construct such ladder or fishway, after having been required so to do by the Warden of the district; and it shall be lawful for the Warden at any time after the expiration of one month from the giving notice to such persons of his intention so to do, to cause such ladder or fishway to be constructed, and to recover the expense of such construction from the owner or occupier of such dam, in a suit for money paid to the use of such person; and for the purpose of so constructing such ladder or fishway, it shall be lawful for the said Warden and all parties employed by him, to enter upon the premises with all the necessary means and materials to construct and complete the same.

16. In every dam now built across any stream or river, except where fish may not resort, a proper and suitable fishway shall be made and kept, under a penalty not exceeding twenty eight dollars, nor less than four dollars; and a further penalty of four dollars each week such dam shall be suffered to remain unprovided with such fishway, after due notice given by the Warden; and the Warden having jurisdiction, shall determine the dams entitled to the above mentioned exception.

17. That no slabs, edgings, or other mill rubbish, shall be thrown, put, or be allowed to fall into any of the Rivers or Harbours, except saw dust, in streams above the tidal waters where Mills are so constructed that the saw dust falls directly from the saw into the stream; provided nevertheless, that nothing in this Section contained shall prevent the General Sessions or local authorities from making rules and regulations, or other ordinances or provisions for the preservation or protection of any Rivers and Harbours, where authorized so to do by any law now in force or hereafter to be made.

18. That no Salmon shall be taken on any Coast, nor in